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12 Attorneys for United States of America

13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN JOSE DIVISION

16 UNITED STATES OF AMERICA,) NO. 16-CR-00373-EJD-1
17 Plaintiff,) EX PARTE MOTION FOR SEALING ORDER
18 v.)
19 GOYKO GUSTAV KUBUROVICH,)
20 Defendant.)

21 The United States, by and through counsel, moves this Court for an order sealing Exhibit 2 to the
22 Government's Opposition to Defendant's Motion for Compassionate Release from Custody (Dkt. 189).
23 Exhibit 2 consists of Defendant's Bureau of Prisons medical records, which have already been disclosed
24 to Defendant. Although there is a general presumption in favor of public access to court records, the
25 need to protect the confidentiality and privacy of Defendant's medical records outweighs this
26 presumption of public access. *San Ramon Reg'l Med. Ctr., Inc. v. Principal Life Ins. Co.*, No. 10-CV-
02258 SBA, 2011 WL 89931, at *1 (N.D. Cal. Jan. 10, 2011) (citing *Webb v. Smart Document Sols., LLC*, 499 F.3d 1078, 1082 (9th Cir. 2007)).

27 Accordingly, the United States requests that the Court seal these documents, except that the
28 Clerk of Court shall provide copies of the sealed documents to the Parties. The United States further

MOTION FOR SEALING ORDER
NO. 16-CR-00373-EJD-1

1 requests that the United States Attorney's Office be permitted to share these documents as necessary to
2 comply with its discovery obligations.

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4 DATED: July 29, 2020

Respectfully submitted,

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DAVID L. ANDERSON
United States Attorney

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/s/ Scott Simeon

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SCOTT SIMEON

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Assistant United States Attorney

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[PROPOSED] ORDER

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Upon motion of the United States and good cause having been shown,

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IT IS HEREBY ORDERED that Exhibit 2 to the Government's Opposition to Defendant's

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Motion for Compassionate Release from Custody (Dkt. 189) shall be filed under seal until further order
of the Court, except that the Clerk of Court shall provide copies of the sealed documents to the Parties.

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The United States Attorney's Office is permitted to share these documents as necessary to comply with
its discovery obligations.

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DATED: July 30, 2020



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HON. EDWARD J. DAVILA
United States District Judge

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